



Hungary

Country Reports on Human Rights Practices - [2002](#)

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Hungary is a parliamentary democracy with a freely elected legislative assembly. Prime Minister Peter Medgyessy led a coalition Government formed by the Hungarian Socialist Party and the Alliance of Free Democrats after multiparty elections in April. The judiciary is independent.

The internal and external civilian security services reported directly to a State Secretary in the Prime Minister's Office, and the police reported to the Interior Minister. Civilian authorities maintained effective control of the security forces, and the Government investigated and charged police for human rights violations. Some police committed human rights abuses during the year.

Most international organizations and financial institutions agreed that the country completed successfully its transition from a centrally directed economy to a fully functioning market economy. The country's population was approximately 10.1 million. The private sector accounted for more than 80 percent of gross domestic product (GDP). The Socialist government maintained a strong commitment to a market economy, but has done little to address remaining problems in agriculture, health care, tax reform, and the energy market. Despite 6 years of strong economic growth, an estimated 25 percent of the population lived in poverty, with the elderly, large families, and the Roma most affected. The Finance Ministry estimated the per capita GDP at \$6,800 for the year. The economy was expected to grow by approximately 3.4 percent; inflation continued to decline to 5.5 percent; and unemployment remained below 6 percent.

The Government generally respected the human rights of its citizens; however, there were problems in some areas. There were reports that some police used excessive force, beat, and harassed suspects, particularly Roma. In practice authorities may impose lengthy pretrial detention on suspects. Some local officials attempted to evict Roma from their homes and relocated them to other cities. There were allegations of government interference in editorial and personnel decisions of state-owned media. The Government continued to implement legislation on refugee issues and established seven regional centers to administer refugee processing. Violence against women and children remained serious problems. Sexual discrimination in employment also continued to be a problem. Anti-Semitic and racial discrimination persisted and a number of racially motivated attacks, particularly against Roma, occurred during the year. Societal discrimination against Roma was a serious problem. Trafficking in women and children for the purposes of prostitution and in men for forced labor remained a problem. Reform of the country's political and economic structure led to an invitation in December to join the European Union (EU) in May 2004. Hungary was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second Ministerial Meeting in Seoul, Republic of Korea, as a participant.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

Six cases of persons charged with crimes against humanity for incidents during the 1956 revolution remained pending at year's end; two before the Supreme Court. The defendants were accused of shooting into demonstrations with machine gun fire and using hand grenades. In 1993 the Government charged the defendants

with murder, but they were acquitted because the statute of limitations for murder had passed. The Supreme Court overturned the finding of the lower court, and in 1999 stated that the defendants could be charged with war crimes, which have no time limit. By year's end, twelve defendants had been convicted.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices; however, the police occasionally used excessive force, beat and harassed suspects, particularly Roma.

During the year, the National Police confirmed that it had conducted investigations into 11 cases of forced questioning and six cases of unlawful detention. The police referred 14 of these cases to the Office of the Prosecutor to commence judicial proceedings. In the first half of the year, authorities investigated 67 cases of suspected abuse by police involving 55 police officers. The majority of cases occurred during interrogations. A total of 47 incidents resulted in court cases, with 28 guilty verdicts. The Government more actively pursued allegations of police abuse compared with previous years. According to the Ministry of Interior, approximately half of the court cases involved abuse against Roma. Punishments for abuses committed by police included fines, probation, prison sentences, and dismissal. Some attributed the increase in the number of reports of police abuse to an increased willingness to seek official redress.

In January Pest County dropped charges against thirteen officers in a 2001 incident in the village of Bag, citing a lack of evidence. Police were accused of assaulting several Roma during a raid on a funeral wake.

In 2001 the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) reported that minors, dark-skinned foreign nationals, and Roma were at highest risk of verbal and physical abuse by police; Roma bore the brunt of such abuse. There were occasional reports that police punched, kicked, and struck persons with truncheons while in police custody. The CPT found verbal abuse committed by police against detainees to be common. The Government conducted investigations in some cases and brought charges against individual police officers. In March the European Roma Rights Center reported that charges were brought against five border guards for abuse of authority and causing bodily harm to two Roma men in a 2001 incident in Beremend on the border with Croatia. The complaint alleged the border guards beat them and used racial insults while the Roma were handcuffed to a radiator at a local police station. Police officials did not intervene to stop the actions of the border guards.

Local NGOs estimated the number of actual incidents of abuse by police to be greater than official statistics indicated. The CPT report identified a practice whereby some police advised detainees who wished to file a complaint that to defame a police officer was a criminal offense. This practice discouraged some individuals from lodging complaints. During the year, the Government Office of Ethnic Minorities received regular complaints from Roma of police abuse and misconduct. Despite increased investigations into allegations of police abuse, the Minority Affairs Ombudsman, who investigated constitutional violations in the public sector, believed that the situation remained constant and possibly was marginally better.

NGOs reported fewer cases of police harassment of foreign residents, particularly of non-Europeans; however, police continued to show indifference toward foreigners who were victims of street crime. Social discrimination against dark-skinned foreigners persisted. In July a Native American was denied admission to a restaurant in Budapest; the owner stated that the restaurant did not serve Roma. The municipal government fined the restaurant for discrimination. Also in Budapest, youths identified as skinheads beat an African man in an attack authorities classified as racially motivated.

In July a police officer allegedly beat a protestor in detention (see Section 2.b.).

Border guards facilitated trafficking in persons by taking bribes from traffickers (see Section 6.f.).

The police and Interior Ministry continued to work to improve the image of the police, and human rights organizations reported that police generally were more cooperative than in previous years with outside monitoring of their behavior.

The Hungarian Helsinki Committee (HHC) reported that prisons were overcrowded but generally met international standards. Their 2001 study stated that 5 percent of inmates in one detention facility had alleged mistreatment by prison guards, which included 49 cases of minor physical assault. The Military Prosecutor's Office, which has responsibility for such cases, declined to conduct an investigation and determined that no mistreatment had occurred. As of September, the prison and detention centers' population was 18,106 persons or 160 percent of capacity--an increase of 16.5 percent since 2000. Tougher maximum sentences contributed to the increase.

An estimated 63 percent of prisoners earned wages while in prison, either from work in prison or from work-release programs. The HHC reported that prisoners' wages were lower than those of non-prisoners, and also expressed concern that the period of time prisoners worked in custody did not count toward social security service time. Some programs allowed prisoners to spend weekends at home; there were sports facilities, radio and television, and libraries available in each penal institution. Prisoners could also attend training programs to assist in their eventual return to life outside of prison. Civic- and state-operated organizations, private foundations, charities, and churches assisted in the rehabilitation process.

There were no reports of deaths in custody resulting from official negligence or abuse.

The Government continued to expand the number of detention facilities, and a new prison was scheduled to open in 2003. Men and women were held separately; juveniles were held separately from adults; and pretrial detainees were held separately from convicted prisoners.

The Government permitted visits by independent human rights monitors, and such visits occurred during the year.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions.

The law requires that police obtain warrants to place an individual under arrest. Police must inform suspects upon arrest of the charges against them, but may hold detainees for a maximum of 72 hours before filing charges. The law requires that all suspects be allowed access to counsel prior to questioning and throughout all subsequent proceedings, and that the authorities provide counsel for juveniles, the indigent, and persons with mental disabilities; however, credible reports suggested that that police did not always allow access to counsel, particularly for persons accused of minor crimes. There was no system of bail; however, a law allows some foreigners to make a financial deposit to the courts allowing them to reside abroad during their court case. This provision of the law was used infrequently. The lack of a bail system gives a great deal of discretionary authority to judges.

Pretrial detention, based on a warrant issued by a judge, initially is limited to 1 year while criminal investigations are in progress; it may be extended indefinitely on the prosecutor's motion, provided that a judge concurs. The Government may detain individuals in pretrial detention only after charges are brought. Not all suspects were remanded to detention centers pending trial. The law stipulates that authorities can request pretrial detention in cases when it is likely the suspect will flee, when the gravity of the charges warrant detention, and when the release of the suspect would endanger the investigation.

The Prosecutor General's Office reported that the average length of pretrial detention during the first 6 months of the year was 116 days, compared with 108 days in 2001, although nearly 10 percent of detainees were held for periods ranging from 8 to 12 months. Aliens usually were held until their trials, since they were considered likely to flee the country. Roma alleged that they were kept in pretrial detention longer and more frequently than non-Roma (see Section 1.e.). The law provides for compensation if a detainee or victim of forced medical treatment is released for lack of evidence, but the procedure rarely was exercised, since detainees must undertake a complicated legal procedure to pursue such claims. The Minister of Justice, on behalf of the State, decides upon compensation. The amount is decided on a case by case basis, and may cover the costs of the trial, attorney's fees, lost wages, and some miscellaneous sums.

The law permits police to hold suspects in public security detention (PSD) under certain circumstances, including when a suspect has no identity papers, when blood or urine tests must be performed to determine blood alcohol content, or when a suspect continues to commit a misdemeanor offense in spite of a prior warning. Suspects may be held in PSD for up to 24 hours. Such detainees were not always informed of the charges against them, because such periods of "short" detention were not defined as "criminal detention" and therefore were not considered covered by the Criminal Code. However, there were no reports that police abused these rights in practice.

The law does not provide for forced exile, and the Government did not employ it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice.

Under the Constitution, the courts are responsible for the administration of justice, with the Supreme Court exercising control over the operations and judicial procedure of all other courts. There were three levels of courts. Original jurisdiction in most matters rested with the local courts. Appeals of their rulings may be made to the county courts or to the Budapest municipal court, which had original jurisdiction in other matters. The Supreme Court was the final court of appeal, while the Constitutional Court was the final court on constitutional matters. Appeals of decisions by military courts also may be heard by the Supreme Court.

The Constitutional Court was charged with reviewing the constitutionality of laws and statutes brought before it, as well as the compliance of these laws with international treaties that the Government has ratified. Parliament elected the 11 members of the Constitutional Court, who serve 9-year terms. In theory a judge's mandate may be renewed, but no judge has been reelected. The judges elect the president of the Constitutional Court among themselves by secret ballot. Citizens may appeal to the Constitutional Court directly if they believe that their constitutional rights were violated. The Constitutional Court is required to address every petition it receives; however, no deadline is specified for the Court to render a decision. Consequently a considerable backlog of cases has developed. No judge or member of the Supreme or Constitutional Courts may belong to a political party or trade union. Members of the Constitutional and Supreme Courts also may not be members of Parliament, or be employed in local government. The compulsory retirement age for Constitutional Court judges is 70 years.

A National Judicial Council nominated judicial appointees other than the Constitutional Court and oversaw the judicial budget process.

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. Trials are public, but in some cases, judges may agree to a closed trial to protect the accused or the victim of a crime, such as in some cases of rape. Judicial proceedings generally were investigative rather than adversarial in nature. Defendants were entitled to counsel during all phases of criminal proceedings and were presumed innocent until proven guilty. Counsel was appointed for indigent clients, but the public defender system generally provided substandard service. There was no public defender's office; private attorneys may or may not choose to serve in this capacity. Public defenders were paid poorly--less than \$4.00 (1,000 HUF) for the first hour of the trial and less than \$2.00 (500 HUF) for each additional hour--and did not give indigent defendants priority. Lawyers often met indigent clients for the first time at trial.

Judicial proceedings varied in length and delays of several months to a year were common before the commencement of trials. Cases on appeal may remain pending before the courts for indefinite periods, during which time defendants are held in detention. There is no jury system; judges are the final arbiters. Recent changes to the law, which are scheduled to take effect in 2003, would limit the length of judicial proceedings to 3 years. Under the new Law, prosecutors are to have greater influence over their cases. Plea-bargaining, which was known as a trial waiver, was a tool available to prosecutors. Police believed that plea-bargaining may be an important weapon in the fight against organized crime.

Many human rights and Romani organizations claimed that Roma received less than equal treatment in the judicial process. Specifically they alleged that Roma were kept in pretrial detention more often and for longer periods than non-Roma. This allegation was credible in light of general discrimination against Roma; however, there was no statistical evidence since identifying the ethnicity of offenders is not allowed under the data protection law. Since the majority of Roma were among the lowest economic strata, they also suffered from substandard legal representation.

Military trials followed civil law and may be closed if national security or moral grounds so justified. In all cases, sentencing must take place publicly. The law did not provide for the trial of civilians in military courts.

A Victims' Protection Office operated in each county to provide psychological, medical and social services to victims of crime. At the conclusion of judicial proceedings, victims may apply through the National Public Security and Crime Prevention Public Foundation for financial compensation, which was to be paid by the person convicted of the crime. The White Ring Nonprofit Association, which was a member of the European Victims' Protection Forum, supported the work of the Victims' Protection Offices. A book on victim protection, used to train police

officers and activists, also contained a list of all NGOs that provided protection to victims of crime. In December 2001, Parliament enacted legislation that expanded legal protection of persons involved in court cases.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions and the Government generally respected these prohibitions in practice. The law provides that the prosecutor's office may issue search warrants. Police must carry out searches of private residences in the presence of two witnesses and must prepare a written inventory of items removed from the premises. Wiretapping, which may be done for national security reasons and for legitimate criminal investigations requires a court's permission. These provisions appeared to be observed in practice.

According to NGOs, during the year, there were several instances of evictions of Roma. In Budapest in February, security guards entered the home of a Roma family without prior notification, which is required, and began to demolish their residence. The family had resided there for 5 years, and had begun legal proceedings to purchase it. As a result of the security guards' action, the adult members of the family were made homeless and three minors were placed in state custody. The Roma Civic Rights Foundation and other NGOs visited and reported on cases of forced eviction, and urged local governments to provide temporary shelters. Several municipal governments began construction of public housing for low-income residents during the year.

In September local government officials in the village of Paks condemned and subsequently demolished housing occupied by Roma. The Paks municipal authorities provided replacement housing in neighboring villages; however, the mayor of Nemetek, one the neighboring towns, then refused to allow the Roma families to reside there. Authorities have taken advantage of situations such as the eviction for nonpayment of bills or condemnation of Roma homes to relocate and concentrate Roma populations, in effect creating segregated communities (see Sections 1.d. and 5).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice; however, the current and previous Governments were criticized by opposition parties for influencing editorial and personnel decisions of state-owned media. Individuals may criticize the Government publicly or privately without reprisal, and did so in practice.

Numerous privately owned print publications expressing a variety of views were available to the public. The Government generally did not interfere with the operation of private news media. However, there were allegations that the Government regularly limited access to government officials by journalists and editors of a newspaper that had published reports critical of the Government, as well as an investigatory article on the Prime Minister.

There were several state-owned radio and television stations; the audience for private news outlets significantly exceeded that for state-owned broadcasters. The current Government's interference in state-owned media remained a concern. The previous Government attempted to "balance" news coverage through personnel decisions and appointments to the public media oversight board. For the first 6 months of the year, the oversight board functioned without proportional political representation that the law requires. Opposition political parties were traditionally critical of the pro-government news coverage in state-owned media. The current Government pursued a similar form of manipulation of the state-owned media through personnel decisions.

There were minority-language print media, and the state-run radio broadcast 2 hours of daily programs in languages of the major minority groups: Romani, Slovak, Romanian, German, Croatian, and Serbian. State-run television carried a 26-minute program produced by and for each major minority group; programs serving the smaller minority communities were seen every other week or on a monthly basis. All of the programs were repeated on the weekends. In October Radio C, a nonprofit station sponsored by public foundations that began broadcasting in February, was granted a 7-year license; 80 percent of its staff were Roma.

The Media Law created institutions designed to foster a free and independent electronic media. The law provided for the creation of nationwide commercial television and radio boards and was intended to insulate the remaining public service media from government control. The National Television and Radio Board monitored news

broadcasts for equal treatment of all political parties, and censured and fined public and private broadcasters. During the year, the Parliament amended the Media Law to conform to European Union standards.

Internet access was unrestricted.

The Government did not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the Government generally respected these rights in practice.

There essentially were no restrictions on peaceful public gatherings. The Government did not require permits for assembly, except when a public gathering was to take place near sensitive installations, such as military facilities, embassies, or key government buildings. The Government may alter or revoke permits for assembly, but there were no reports that they used this authority during the year.

On July 4, right-wing groups opposed to the election results staged several protests in Budapest, including one in front of the Parliament in which protestors confronted the police. At a separate rally, several hundred demonstrators blocked vehicle traffic over a central bridge. The police dispersed these demonstrations and reported that organizers had not obtained the necessary permits or had understated the size of the assembly. One court case of alleged police abuse in which a protestor claimed a police official struck him after he was detained was pending at year's end.

Ten or more persons may form an association, if it does not commit criminal offenses or interfere with the rights of others. Associations with charters and elected officers must register with the courts. Registration of associations was granted routinely and without bias.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.

There were 136 officially recognized religions. A group must provide 100 signatures to register as a religion, which it may do in any local court. While any group was free to practice its faith, formal registration made available to religious groups certain protections and privileges, and granted access to several forms of state funding. During the year, the Government elevated religious affairs to the Office of the Prime Minister from its previous location in the Ministry of Cultural Heritage, and assigned a State Secretary to oversee church issues.

There was no state religion; however, there are four historically recognized religions: Roman Catholic, Calvinist, Lutheran, and Jewish. Not all religions received state support. The Government has provided subsidies to some religious groups each year, and taxpayers may contribute 1 percent of their net tax payments to a registered religious body. During the year, the Government provided subsidies to 100 religious groups, compared with 90 in 2001.

The Government treated the larger, better-established religions more favorably than minority religious communities. In 2000 Parliament amended the tax code and set criteria under which direct contributions to churches were tax deductible; these criteria limited the benefit to 23 of the 136 registered churches.

In 2000 the Hungarian Tax Authority (APEH) initiated investigations of the Church of Scientology, based on questions regarding the registration of its clergy. The APEH concluded its investigation early this year and determined that the Church of Scientology had not violated tax regulations.

During the year, the Government paid churches \$25 million (6.25 billion HUF) in compensation for assets confiscated during the Communist regime. By 2011 the Government is expected to pay an estimated \$168 million (42 billion HUF), adjusted annually for inflation, to religious groups for buildings that are not returned.

Representatives of the Jewish community expressed concern over anti-Semitism in some media outlets, in society, and in coded political speech. The previous government was criticized for not taking a public stand against anti-Semitic statements. An increase in anti-Semitic activity coincided with the April elections for Parliament and included the defacement of some left-wing campaign billboards with anti-Semitic graffiti. The Hungarian Justice

and Life Party (MIEP), the extreme rightwing party known for its anti-Semitic statements, failed to qualify for representation in Parliament because it did not obtain 5 percent of the vote.

The Council of Europe's Commission Against Racism and Intolerance criticized the anti-Semitism in some media, in Parliament, and in society. NGOs noted an increase in coded anti-Semitic speech in right-wing political dialogue that coincided with the elections for parliament. On August 20, a Catholic bishop speaking at a celebration of Saint Stephen's Day made derogatory statements using an oblique reference understood to mean Jews.

According to police reports, there were 200 cases of persons vandalizing gravestones and cemeteries during the year. There was no data on which churches the cemeteries belonged to. The Jewish Community (MAZSIHISZ) claimed that there were fewer acts of vandalism in Jewish cemeteries than in 2001, and most of the cases were committed by youths; the MAZSIHISZ did not consider these incidents anti-Semitic actions.

In one instance, the municipal government of Forro allowed the destruction of an unregistered Jewish cemetery in contravention of customary practice for Jewish cemeteries and without notification of the national government or Jewish organizations. MASZIHISZ contends that the actions of the Forro administration violate the law concerning preservation of cemeteries. The cemetery contained graves of the Jewish community that resided in Forro before its deportation in World War II. The destruction took place to permit the construction of private homes. Construction workers discarded gravestones and some caskets in an adjacent dump. The municipal government of Forro contended that as an unregistered cemetery there were no legal provisions barring the use of the land.

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice. However, some local authorities tried to expel Roma from towns. There were reports that local government officials in the village of Paks demolished housing occupied by Roma and provided replacement housing in neighboring villages. This resulted in allegations that the local government deliberately sought to resettle Roma outside its boundaries (see Section 1.f.).

The Government may delay but may not deny emigration for those who have significant court-assessed debts or who possess state secrets. Those with approximately \$40,000 (over 10 million HUF) or more in public debt may be denied travel documents. The Government did not impose an exit visa requirement on its citizens or on foreigners.

Discrimination, poverty, and unresolved social problems continued to drive Roma emigration, particularly to Canada and EU member states. In January the Government of Canada reintroduced a visa requirement for citizens of Hungary to stem frivolous asylum claims (see Section 5).

In January the Status Law took effect, which provided certain social, educational, and economic benefits to ethnic Hungarians living in neighboring countries, with the exception of Austria. Under this law, ethnic Hungarians living abroad could qualify for temporary work permits and the Government would promote Hungarian minority education in neighboring states. The new Government proposed amendments to the Status Law to respond to regional criticism of the extraterritorial effects of the law. During the year, the Government reached agreement with Romania on implementation of the Status Law.

The law on asylum and refugees provides for the granting of such status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations assisting refugees. The Government provided first asylum. During the first 8 months of the year, UNHCR reported that approximately 4,411 asylum seekers entered the country--a decrease from previous years--of whom 1,499 were from Afghanistan and 1,287 from Iraq. In 2001 the Government granted 174 applicants refugee status under the Geneva Convention; 297 applicants were granted temporary protected status. The primary countries of origin for refugee and asylum seekers were Afghanistan, Iraq, Bangladesh, Sri Lanka, and Pakistan. Political changes in the former Yugoslavia resulted in a decrease in the number of asylum seekers. The government Office of Immigration and Nationality (OIN) (formerly the Office of Migration and Refugee Affairs) is the central authority for asylum and immigration matters.

Asylum applicants were housed in three government-owned camps and two temporary camps run by NGOs. The camps have been in operation since the early 1990s, largely because of the influx of refugees fleeing various regional conflicts. In 2001 the Government estimated that there were approximately 5,000 asylum seekers and as

many as 40,000 to 60,000 immigrants living in the country illegally; however, the local office of the UNHCR believed that these figures were too high.

In October 2001, Parliament passed amendments to the Laws on Asylum and on Aliens aimed at streamlining and simplifying the court process for asylum; the amendments took effect during the year. As a result of the amendments and subsequent restructuring of the Office of Immigration and Nationality, the Ministry of Interior established seven regional offices to process asylum requests. The OIN also assumed some responsibilities previously granted to the Border Police, including administration of reception centers. Prospective refugees who sought only to transit to other European countries were encouraged to return to their countries of origin. At the end of the year, there were approximately 1,224 asylum seekers located in three permanent and one temporary reception centers. Another temporary reception center closed during the year. For aliens requiring greater monitoring in a more restrictive environment, the OIN operated three different shelters it called community shelters. Aliens housed in the reception centers enjoyed fewer restrictions of freedom of movement than those in community shelters did. Several NGOs and human rights organizations supported asylum seekers and provided legal information.

Foreigners caught trying to cross the border illegally either may apply for refugee status if they have valid travel documents, or are housed temporarily at one of eight border guard facilities throughout the country, pending deportation. During the first 9 months of the year, 8,451 persons occupied these facilities. On average there were 313 persons in the facilities per day. In 2001 the greatest number of aliens in the border guard facilities came from Romania (3,638), Moldova (1,098) and Afghanistan (732). While police sought the timely deportation of detainees who did not qualify for refugee status, a shortage of funds and the detainees' lack of property or documentation, such as passports, often resulted in lengthy stays. NGOs criticized indefinite detention of stateless and some undocumented foreigners by the Government pending resolution of their cases. There were no reports of abuse during deportation. NGOs and foreign governments continued to criticize the Government for inhumane conditions in the border guard facilities and for the arbitrary application of asylum procedures. The restructuring of the OIN, the transfer of some asylum adjudication procedures from the Border Police and the establishment of OIN reception facilities were efforts to redress the situation. The Government has sought to work with NGOs to improve conditions.

There were no reports of the forced return of persons to a country where they feared persecution during the year.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage. Elections are held at least every 4 years. Elections for Members of Parliament took place in April, and municipal elections were held in October.

Members of Parliament are elected every 4 years through a complex, multi-stage process, in which voters cast ballots for individual candidates and party lists. In May the Socialist Party and the Alliance of Free Democrats established a post-election coalition, which gave the two parties a 10-member majority in Parliament. The Socialist Party was the senior coalition member and nominated Peter Medgyessy as Prime Minister. The FIDESZ-Hungarian Civic Party and the Hungarian Democratic Forum (MDF) represented the opposition faction in Parliament. MIEP as well as the Smallholders' Party did not obtain the necessary 5 percent vote threshold to make it into Parliament. The law on ethnic minorities and the election law provide for the establishment of minority self-governments (see Section 5).

There were no legal impediments to women's participation in politics or government. However, only 35 of 386 parliamentary representatives were women. Three women served in the Cabinet and several women were State Secretaries and Deputy State Secretaries. Few women occupied other leadership positions in the Government or political parties. However, a woman was the head of the Hungarian Democratic Forum, one of four parties represented in Parliament, and the Speaker of Parliament was a woman from the Socialist Party. The level of women's political participation was greater in provincial and municipal governments than at the national level. The Hungarian Women's Alliance held weekend courses throughout the year to promote the participation of women in public life.

Despite the lack of ensured minority representation, there were several Members of Parliament, including ethnic Germans and ethnic Slovaks, who were members of ethnic minorities; however, none specifically represented their respective minority group. The number of Romani Members of Parliament increased after the April elections. There were four Roma Members of Parliament, three from FIDESZ, and one from the Socialist Party.

The law provides for the establishment of local minority self-governments as a necessary precondition for the enforcement of the rights of ethnic minorities. With some funding from the central budget and some logistical support from local governments, local minority self-governments sought to influence and oversee matters affecting minorities, particularly in the fields of education and culture. Local minority self-government elections, in conjunction with local government elections, have been held since 1994. Any of the 13 minorities can set up a minority self-government if at least 50 valid votes are cast in settlements with fewer than 10,000 inhabitants and if at least 100 votes are cast in larger settlements.

Since ethnicity was not registered officially, voting on minority self-governments was not limited to the minorities themselves; all the voters received a minority ballot in addition to the local government ballot. The elected local minority self-governments could elect their national minority self-governments; all 13 minorities have formed national self-governments. Several Roma self-governments formed regional groupings to facilitate cooperation. Minority self-government has been criticized mainly on two grounds. First, several minority representatives have objected to the fact that members of the majority can vote for minority candidates and thus influence minority politics; second, critics called for an increase in the competence of the minority self-governments and considerably more financial resources for them.

There were cases of non-minority candidates being elected to minority self-governments in this year's elections. In Jaszladany, where tensions between Roma and non-Roma were strained, the participation of members of the majority in the Roma minority self-government elections resulted in four non-Roma being elected to the five-member body. Roma rights observers viewed this move as a deliberate attempt to undermine the local Roma community. The Minister of Justice and the State Secretary for Roma Affairs criticized the election outcome. According to Government officials, since the law does not proscribe who may be a candidate or vote in minority self-government elections, there were no grounds to challenge the result.

Roma mayors headed four municipal governments and 544 Roma sat on local and county government assemblies.

In October there were 1,004 Roma minority self-governments elected in the local minority elections, an increase over the 770 elected self-governments in the minority elections held in 1998. Of those elected in 1998, a number of self-governments ceased functioning due to a lack of resources, knowledge, and leadership. Following the October municipal elections, minority self-governments were established in 1,317 settlements, bringing the total number of active self-governments to 1,811. The Roma minority poses a special challenge for the system of national minority self-governments. In contrast to other minorities for whom the preservation of their identity and culture was the basic goal, the Roma also had to contend with the fact that they generally belonged to the lowest socio-economic strata of society. Both ethnicity and poverty were problems that the Roma had to deal with; the Roma self-governments, unlike others, were faced with the task of improving the lives of their constituents with no additional resources.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Many NGOs reported that the Government continued to be responsive to their requests for information. Human rights groups indicated improvement in the degree of cooperation from government Ministries and prosecutors' offices on cases involving Roma and police abuse. An increasing number of NGOs were involved in the law-making process; however, NGOs claimed that the Government's cooperation in this area was insufficient.

The Government did not interfere with activities of international NGOs and several established offices in the country, including Human Rights Without Frontiers and the Helsinki Committee.

There was a 21-member parliamentary Committee for Human, Minority, and Religious Rights, which conducted hearings and participated in the law-making process. The Committee was composed of both majority and opposition Members of Parliament, which reflected the proportion of party representation in Parliament. In 1995 the Parliament created separate Ombudsmen for human rights, data protection, and minority affairs. The Ombudsmen's offices were independent from the Government, and prepared annual reports to Parliament on their activities and findings. Parliament elected Ombudsmen for a 6-year term, with the possibility of reelection. In June 2001, the Minority Affairs Ombudsman was reelected for a second 6-year term. Persons with complaints who have not obtained redress elsewhere may seek the assistance and investigative authority of the Ombudsmen's office.

The Minority Affairs Ombudsman--an ethnic German reelected in June 2001--was charged specifically with

defending minority rights. The Ombudsman played an active role in the examination of allegations of discrimination against the Roma community in such cases as school segregation, access to housing and the election of non-Roma to the Roma minority self-governments (see Section 5).

In 2001 the Minister of Justice established an interministerial antidiscrimination committee to consider the antidiscrimination bill drafted by the Ombudsman; committee members included representatives of relevant ministries, the Government Office of Ethnic Minorities, and the Ombudsman.

Section 5. Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides for individual rights, equality, and protection against discrimination; however, in practice discrimination persisted, particularly against the Roma.

Women

Spousal abuse was believed to be common, but the vast majority of such abuse was not reported, and victims who came forward often received little help from authorities. The NGO Women Against Violence reported that 20 percent of women were threatened by or were victims of domestic violence and that one woman per week was beaten to death. NGOs also reported that there was insufficient emphasis on the protection of female crime victims. Police and prosecutors usually were unsympathetic to victims of domestic abuse.

The laws criminalize spousal rape. Women's rights organizations claimed that one woman in ten was a victim of spousal abuse and that societal attitudes towards spousal abuse were archaic. The law prohibits domestic violence and establishes criminal penalties for those convicted of such acts. During the year, there were no known prosecutions for domestic violence.

While there are laws against rape, often it was unreported for cultural reasons. Police attitudes toward victims of sexual abuse reportedly were often unsympathetic, particularly if the victim was acquainted with her abuser. In the first 6 months of the year, women were victims of 43,655 reported crimes; in 2001 women were the victims of 91,004 reported crimes. During the first 6 months of the year, there were 2,402 reports of crimes against family, youth, and sexual morality. NGOs claimed that the police were unwilling to assist victims in one-third of the reported cases. During the year, there was minor improvement in police attitudes toward victims of sexual assault. Police recruits began to receive training from representatives of NGOs and international organizations in how to properly respond to rape and sexual assault cases. Victims of domestic violence may obtain help and information via a national hot line or at one of several shelters. The hot line operated intermittently for three hours each day; a message system existed for when a counselor was unavailable in person. Shelters provided short-term refuge, and their locations were concealed to protect victims.

Prostitution is illegal; however, in accordance with the law, municipal governments may establish "tolerance zones" where such activity may occur. Only one tolerance zone was in operation, in the eastern city of Miskolc.

The law makes illegal relationships between an adult and a minor where the minor is under 14 years of age.

Trafficking in women for the purposes of sexual exploitation was a serious problem (see Section 6.f.).

The law does not prohibit sexual harassment in the workplace. A report on the country prepared under the auspices of the U.N. to evaluate compliance with the Convention on the Elimination of Discrimination Against Women found that sexual harassment in the workplace was "virtually epidemic." Women's groups reported that there was little support for efforts to criminalize sexual harassment, and that sexual harassment was tolerated by women who feared unemployment more than harassment. The Labor Code regulates questions of security in the workplace; acts of sexual harassment may be prosecuted under the defamation statutes (if violent, such acts are considered sexual misconduct). Sentences of up to 3 years' imprisonment may be imposed for sexual harassment. During the year, no charges were brought under this provision of the Labor Code.

Women had the same rights as men, including identical inheritance and property rights. For budgetary reasons, the Office for Women's Issues suspended operation of its antidiscrimination hot line, which offered free legal advice to women who believed that they were discriminated against with respect to employment. According to the head of the office, the hot line received 20 to 30 calls per day. While there was no overt discrimination against women, the number of women in middle or upper managerial positions in business and government remained low, and in practice women received lower pay compared to men in similar positions and occupations. Nevertheless, the

number of women in the police and the military has risen over the past several years, and women were represented heavily in the judiciary and in the medical and teaching professions. During the year, the Government created new positions for women's affairs, which included a directorate general in the Ministry of Employment and Labor Affairs and a separate division to promote equal opportunity.

Children

The Government was committed to children's rights. Education was mandatory and free through 16 years of age. The Ministry of Education estimated that 95 percent of school-age children, with the exception of Roma children, were enrolled in school. Roma were far more likely than non-Roma to stop attending school before age 16. Reliable figures on Roma enrollment and graduation rates were unavailable due to the prohibition of collecting data on ethnicity.

Roma and other civic organizations highlighted the practice of placing Roma children in remedial education programs designed for children with mental disabilities or low academic performance, resulting in de facto segregation. Although the children could be returned to the regular school system, only a small percentage returned. In April the Ombudsman for National and Ethnic Minority Rights declared that segregation continued to exist in public education. The Ombudsman cited the case of a primary school in Verpelet in Heves County, where Roma children were educated in separate classrooms beginning in first grade, without the consent of the parents. An earlier report by the Ombudsman's office found that the high proportion of Roma children in "special schools" for children with mental disabilities was a sign of prejudice and a failure of the public education system. To prevent the improper placement of children in remedial education, particularly Roma children, parents were required to concur in the decision of the school to enroll their child in such a program and the child was tested yearly to measure educational performance. NGOs remained concerned that Roma children were still improperly referred to special schools despite the safeguards. The Government Office of National and Ethnic Minorities estimated that as many as 700 schools had segregated classrooms. The Government contested the claims of human rights organizations and stated that the Roma schools were designed to provide intensive help for disadvantaged children.

In one case of segregation in the education of Roma, the municipal government of Jaszladany in central Hungary established eleven private classrooms in the public school, which the Roma minority self-government and the Ministry of Education interpreted as a move to separate Roma and non-Roma students. The municipal government had applied for the classrooms to be accredited as a separate charter school during the former government and were scheduled to begin operation in September. The new Minister of Education suspended the accreditation process and barred the private classrooms from operating. Nevertheless, ethnically divided classrooms continued to function in the Jaszladany public schools.

In 2001 the former Government converted the family allowance into a school attendance allowance. This measure was intended to force children to go to school, but some Romani NGOs feared that this could be another form of discrimination against Roma, many of whom lived in small villages with no high schools within manageable distance. The extreme poverty of many Roma made it difficult for them to clothe their children appropriately for school. The Roma alleged that the taking away of the family allowance was punishment for neglecting to do something that they could not afford.

There were programs aimed at increasing the number of Roma in higher education. The Romaversitas program supported Romani students finishing degrees in institutions of higher education, and there were Departments of Roma Studies in the Teachers' Training Colleges in Pecs and Zsambek. The Government provided a number of scholarships to Roma children at all levels of education through the Public Foundation for the Hungarian Roma. The Government reported that in the previous academic year, 12,777 Roma students received state-funded scholarships, of which 1,200 were given for studies at the university level. School-age children may receive free medical care at state-operated institutions and most educational facilities. Psychologists were available to evaluate and counsel children, and provisions existed for children to obtain dental care; the Social Security Office provided these services.

Child abuse remained a problem. A 1999 survey showed that over 25 percent of girls suffered from abuse by a family member before they reached the age of 12. The percentage of girls who faced abuse in the family during the year was believed to be unchanged. NGOs reported that neglect and abuse were common in state care facilities. A number of laws were passed to address family violence, including a law on the protection of children. The Criminal Code provided for serious sanctions against the neglect and endangerment of minors, assault, and preparation of child pornography. The application of laws to protect children were enforced infrequently. In August a minor killed her stepfather after several years of repeated physical and sexual abuse. Police and social services failed to intervene to protect the minor despite frequent requests for assistance by the minor and her mother. The minor

reportedly confessed to the killing but police continued to investigate and have not brought charges. During the first half of the year, children were the victims of 1,639 crimes; in 2001 they were the victims of 2,828 crimes.

Child prostitution was not a common practice, although isolated incidents existed. Severe penalties existed under the law for those persons convicted of engaging in such acts. Trafficking in children for the purpose of sexual exploitation was a problem (see Section 6.f.).

Persons with Disabilities

The law does not permit discrimination against persons with disabilities in employment, education, or in the provision of other state services. Government sources estimated that there were between 600,000 and 1 million persons with disabilities (6 to 10 percent of the population). Of these persons, 300,000 to 350,000 were considered seriously disabled and received increased government benefits. Persons with disabilities faced societal discrimination and prejudice.

A Council for the Disabled was established in 1999 under the leadership of the Minister of Social and Family Affairs. The Council served as an advisory board to the Government. A decree requires all companies that employ more than 20 persons to reserve five percent of their jobs for persons with physical or mental disabilities, with fines of up to 75 percent of the average monthly salary for noncompliance. The foreign NGO Mental Disability Rights International (MDRI) and the local NGO Hungarian Mental Health Interest Forum (PEF) noted that no procedures existed to oversee the treatment and care of persons with disabilities who were under guardianship. The MDRI and the PEF also criticized the use of cages in government facilities for persons with mental disabilities.

The law mandates access to buildings for persons with disabilities; however, services for persons with disabilities were limited, and most buildings were not wheelchair accessible.

National/Racial/Ethnic Minorities

The law recognizes individuals' minority rights, establishes the concept of the collective rights of ethnic minorities, and states that it is their inalienable collective right to preserve their ethnic identity. The law also permits associations, movements, and political parties of an ethnic or national character and mandates the unrestricted use of ethnic languages. For an ethnic group to be recognized it must have at least 100 years' presence in the country, and its members must be citizens. On this basis, minority status was granted specifically to 13 national or ethnic groups (among which the Roma were by far the most numerous). Other groups may petition the Speaker of Parliament for inclusion if they believe that they fulfill the requirements.

According to the national census conducted in 2001, Roma constituted about 2 percent of the population. Census questions regarding ethnicity were voluntary, although the results may not reflect actual numbers, which many NGOs and government offices estimated at approximately 9 percent. In view of the higher birth rate among Roma compared with the general decline in the majority population, observers expected this trend to remain constant or to grow, something which continued to cause widespread concern among the majority population. Ethnic Germans, the second largest minority group, constituted approximately 0.7 percent of the population. Smaller communities of Slovaks, Croats, Romanians, Poles, Ukrainians, Greeks, Serbs, Slovenes, Armenians, Ruthenians, and Bulgarians also were recognized as ethnic minorities. Living conditions for Romani communities continued to be significantly worse than for the general population. Roma were the target of government and societal discrimination and racist attacks. They were significantly less well educated, and had below average income and life expectancy. The unemployment rate for Roma was estimated to be approximately 70 percent, more than 10 times the national average. The majority of Roma lived in extreme poverty.

The Government established a secretariat within the Office of the Prime Minister to coordinate Roma Affairs. A Political State Secretary directed this new office; he was a Roma Member of Parliament and former president of the Roma minority self-government of Nagykanizsa. A new Ministerial Commissioner for Roma Affairs was also created, and the Government planned to place a commissioner in six ministries. At the end of the year, only one Ministerial Commissioner for Roma Affairs was in place, in the Ministry of Education.

The Minority Affairs Ombudsman played an active role in the examination of allegations of discrimination against the Roma community and continued to promote a uniform antidiscrimination law (see Section 4). There was 1 Roma lawyer out of 11 in the Ombudsman's office.

Reports of police abuse against Roma were common, but many Roma were fearful to seek legal remedies or notify NGOs (see Section 1.c.). Police also failed to intervene to prevent violence against Roma. In June the Salgotarjan

Municipal Court sentenced two police officers to multiple year prison terms for threatening a Roma family with a firearm and for abuse of their official positions. According to the Roma Press Center, on January 29, in Pecsvarad village, an unknown assailant set fire to the Roma minority self-government building. The fire extinguished itself and damage was minor. Police conducted an investigation but did not identify a suspect. At year's end, there had been no progress in this case.

Changes to the Penal Code made it easier to enforce and stiffened penalties for hate crimes committed because of the victim's ethnicity, race, or nationality. During the year, the Government brought charges in five separate cases for incitement of the public, two of which resulted in convictions. Three cases from 2001 were pending at year's end. Authorities used the prohibition against public incitement to curb some forms of hate speech in the absence of specific hate speech legislation. The Office of the Prosecutor charged a member of the extremist Justice and Life Party with the publication of an anti-Semitic article in a local newspaper, resulting in a conviction. In a second instance, two individuals were charged with reprinting and distributing World War II era anti-Semitic tracts. The courts did not reach a verdict in a 2001 case against the distributors of the Elders of Zion, another anti-Semitic publication.

Local government officials continued to punish Roma who were unable to pay utility bills by evicting their families from their homes without providing alternative housing (see Section 1.f.). In some areas, the relocation and concentration of Roma populations has, in effect, created segregated communities. In the summer of 2000, laws on the tenancy of flats were amended to ease administrative procedures for evicting squatters. Under the new procedures, notaries public may authorize evictions and are required to enforce the order within 8 days, even if an appeal was filed against the decision. Roma families continued to be most affected by the new rules.

The Government reduced the limit on unemployment benefits from 1 year to 9 months in 2000, affecting the Romani community disproportionately and further exacerbating their poverty. Negative stereotypes of Roma as poor, shiftless, and a social burden persisted. Widespread discrimination against Roma continued in education, housing, and access to public institutions such as restaurants and pubs. In some instances, the authorities fined establishments that banned Roma.

Education was available to varying degrees in most minority languages. There were certain minority schools where the minority language was also the primary language of instruction, and there were some schools where minority languages were taught as a second language.

Schools for Roma were more crowded, more poorly equipped, and in significantly worse condition than those attended by non-Roma. Government sources estimated that graduation rates for Roma remained significantly lower than for non-Roma students, although no statistics were available at the end of the year.

Section 6. Worker Rights

a. The Right of Association

The Labor Code recognizes the right of unions to organize and permits trade union pluralism. Workers have the right to associate freely, choose representatives, publish journals, and openly promote members' interests and views. There were six trade union federations; each was targeted broadly at different sectors of the economy. The largest labor union organization was the National Confederation of Hungarian Trade Unions, the successor to the former monolithic Communist union, with approximately 235,000 members. According to the Tax Authority of Hungary, in 2001, 654,000 taxpayers declared a deduction for payment of union fees.

Employers are prohibited from discriminating against unions and their organizers. The new Ministry for Employment Policy and Labor Issues enforced this provision.

There were no restrictions on trade union contacts with international organizations, and unions have developed a wide range of ties with international trade unions.

b. The Right to Organize and Bargain Collectively

The Labor Code permits bargaining at the enterprise and industry level, but collective bargaining was not widespread in many sectors of the economy. However, labor organizations appeared willing to cooperate with each other. For example, the major trade unions worked closely together in the Interest Reconciliation Council, which brought together Government, employers, and trade unions to advise the Government on labor policies and to set

target wage increases. Individual trade unions and management may negotiate higher wages at the plant level. Under a separate law, public servants may negotiate working conditions, but the final decision on increasing their salaries rests with Parliament. In July the Government re-established the Labor Ministry, disbanded in 1998, under the name of the Ministry for Employment Policy and Labor Issues. The Labor Ministry was responsible for drafting labor-related legislation, among other tasks.

With the exception of military personnel and police officers, workers had the right to strike.

There were no export processing zones, but individual foreign companies frequently were granted duty-free zone status for their facilities. Employees in such facilities and zones are protected under the labor laws.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children, and there were no reports that such practices occurred.

d. Status of Child Labor Practices and Minimum Age for Employment

The Government adopted laws to protect children from exploitation in the workplace. The Labor Code prohibits labor by children under the age of 15 and regulates labor conditions for minors (14 to 16 years of age), including prohibitions on night shifts and hard physical labor. Children may not work overtime. The National Labor Center enforced these regulations in practice, and there were no reports of any significant violations of this statute.

e. Acceptable Conditions of Work

In July the Government reestablished the Interest Reconciliation Council (IRC), replacing the National Labor Council. The IRC had the right to establish the minimum wage through agreement among its participants, representatives of the Government, employers, and employees. In January the minimum wage was raised to \$200 (50,000 HUF). By year's end, public school teachers and health care professionals also received a 50 percent wage increase. The minimum wage did not provide a decent standard of living for a worker and family. The minimum wage was only 41 percent of the average wage. Many workers needed a second job to support themselves; others, while officially earning the minimum wage, were paid more under the table. This practice allowed workers and employers to avoid paying high pension and health care contributions, which were determined as a percentage of the wage. The Government established the National Labor Affairs Supervising Authority to reduce the underreporting of wages. In 2001 the Authority audited 48,000 employers.

The Labor Code specifies various conditions of employment, including termination procedures, severance pay, maternity leave, trade union consultation rights in some management decisions, paid vacation and sick leave entitlements, and labor conflict regulations procedures. Under the Code, the official workday is set at 8 hours. However, it may vary depending upon the nature of the industry. A 48-hour rest period was required during any seven-day period. In July the Parliament amended the Labor Code to incorporate nine EU directives that covered protection and rights of employees, conditions of employment, and equal opportunity in employment. The amendments have brought the Labor Code into conformity with EU standards. In September the Government ended employers' flexibility in scheduling the obligatory 2 days of rest per week, something often criticized by labor groups in the past.

Labor courts and the Ministry of Economy enforced occupational safety standards set by the Government, but specific safety conditions were not consistent with internationally accepted standards. The enforcement of occupational safety standards was not always effective, in part due to limited resources. Under the Labor Code, workers had the right to remove themselves from dangerous work situations without jeopardizing their continued employment; this right was respected in practice.

f. Trafficking in Persons

The law prohibits trafficking in persons; however, trafficking in persons remained a serious problem. Some border guards facilitated trafficking.

Parliament amended the Penal Code to add a trafficking law that provides penalties commensurate with those for rape. Under the law, even preparation for the trafficking of persons is a criminal offense. The penalty for trafficking was between 2 and 8 years in prison; the trafficking of minors was punishable by up to 10 years in prison.

However, if an organized trafficking ring is involved, the sentence can be life imprisonment or seizure of assets. An amendment to the alien law provided for immediate expulsion from the country of foreign traffickers. Prosecution of traffickers was difficult because there was no legislation to protect victims; however, in 2001 a total of 34 trafficking cases were brought to trial, all of which remained pending at year's end. The Police Organized Crime Task Force investigated trafficking cases involving organized crime, and the Government cooperated with other countries to facilitate improved police cooperation to combat organized crime and trafficking in persons.

The country was primarily a transit point, but was also a source and destination country for trafficked persons. Women and children were trafficked for sexual exploitation primarily from Romania, Ukraine, Moldova, Poland, Yugoslavia, and China to and through the country to Austria, Germany, Spain, the Netherlands, Italy, France, Switzerland, and the United States. Trafficking victims from Hungary typically were women from the eastern part of the country, where unemployment was high. They were trafficked to other European countries or other parts of the world, primarily to Austria, Belgium, Germany, Italy, and the Netherlands, as well as Canada, Japan, Spain, Switzerland, and Turkey. In October the Government repatriated several Hungarian women trafficked to Cyprus for prostitution. Men trafficked for forced labor through the country en route to EU countries and the United States were from Iraq, Pakistan, Bangladesh, and Afghanistan.

Organized crime syndicates brought many of the victims of trafficking to the country, either for work as prostitutes in Budapest, or in transit to Western Europe or North America. Hungarian trafficking rings also exploited victims by using them as babysitters, housekeepers, and manual laborers. Russian-speaking organized crime syndicates were active in trafficking women, primarily from Ukraine and other countries of the former Soviet Union to EU countries through Hungary. Hungarian victims mainly were young women, although they also included men, middle-aged women, and children. They were recruited at discos and modeling agencies, through word-of-mouth, or even through open advertisements in local papers and magazines. Reportedly, some victims knew that they were going to work illegally; others believed they were getting foreign visas; others expected to work, but believed their employers were obtaining the appropriate papers and permission, but their employers turned out to be traffickers. Once at their destination, they were forced into prostitution or other exploitation. Traffickers often confiscated identification documents and severely restricted the freedom of movement of their victims.

Corruption among some border officials persisted during the year; this corruption aided traffickers. During the year, the Ministry of Interior concluded two investigations involving 65 border guards, and charged 12 with corruption. Both investigations confirmed that certain border guards stationed on the Slovakian, Ukrainian, and Romanian borders received bribes to allow foreigners to enter the country without inspection of their travel documents, and to waive inspection of the contents of some vehicles. Those guards charged with corruption were held in pretrial detention pending the commencement of their case in a military court. At year's end, these cases remained pending.

The Government provided limited assistance to victims of trafficking. In principle assistance with temporary residency status, short-term relief from deportation, and shelter assistance were available to trafficking victims who cooperated with police and prosecutors; however, there were no documented cases where such assistance was provided. Reportedly, police and immigration officials often treated trafficking victims as criminals, and refused to believe reports of kidnapping of young women.

The Ministry of Interior established a Victims' Protection Office, a victims' protection fund, and has posted information on victim protection in every county police headquarters. Branches of a new Victims' Protection Office, which provided psychological and social support services and legal aid for victims in an effort to safeguard their rights and minimize the trauma of trials, operated in 42 localities (see Section 1.e.). However, the women's NGO Women Against Violence Against Women (NANE) reported that the Victim Protection Office did not deal exclusively or even primarily with victims of trafficking.

The International Organization on Migration (IOM) continued a program funded by the EU to raise awareness of the problem of trafficking and to educate potential victims. Women's rights organizations, the IOM, and the Ministry of Youth and Sports Affairs were conducting preventive programs for teenagers in schools. NANE established an information hot line that operated simultaneously with the IOM campaign to provide information on the types of trafficking-associated advertisements and situations that young women should beware of. NANE, the IOM, the Public Fund For a Safe Hungary, and funding from foreign governments established a joint project to continue and enhance the operation of the hot line.

NGOs working on trafficking problems reported that cooperation with government agencies working on trafficking issues was improving. The NGOs provided some training to law enforcement officers in the recognition and identification of trafficking victims. This included sensitivity training as well as techniques to combat trafficking in persons.

